

1 **CANDIS MITCHELL**

California State Bar No. 242797

2 **FEDERAL DEFENDERS OF SAN DIEGO, INC.**

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 (HONORABLE THOMAS J. WHELAN)
11

12 UNITED STATES OF AMERICA,)

Case No. 07cr3405-W

13 Plaintiff,)

DATE: March 17, 2008

TIME: 2:00 p.m.

14 v.)

15 **MARIO RAYMOND FERNANDEZ,**)

DECLARATION OF MARIO RAYMOND
FERNANDEZ

16 Defendant.)
17 _____)

18 I, Mario Raymond Fernandez, declare:

- 19 1. I am the defendant in the above-captioned case pending before the Court;
- 20 2. This declaration is made in support of my motion to suppress statements and to suppress
- 21 any evidence obtained after my warrantless arrest;
- 22 3. I live in Calexico, California, close to the International Border;
- 23 4. It is common to see United States Customs and Border Patrol agents in my neighborhood;
- 24 5. On the evening of December 9, 2007, I was walking in a neighborhood adjacent to the
- 25 border to look for some of my friends;
- 26 6. During the course of the evening, I stopped at various addresses to look for my friends and
- 27 relatives;
- 28 7. I was arrested by the Border Patrol when I was going to go see another friend;

1 8. I was not near the area where the agents later said they arrested an undocumented
2 individual;

3 9. I was not engaged in assisting any undocumented individuals to come from Mexico into
4 the United States;

5 10. After I was arrested the agents put me in a cell;

6 11. Prior to questioning me, they told me that they were going to get me and fuck me over;

7 12. The agents also stripped searched me and humiliated me for no reason.
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13 Dated: _____

Mario Fernandez 3/13/2008

Mario Raymond Fernandez
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CASE NO. 07cr3405-W
)	
)	
Plaintiff,)	CERTIFICATE OF SERVICE
v.)	
)	
MARIO RAYMOND FERNANDEZ,)	
)	
Defendant.)	
_____)	

Counsel for Defendant certifies that the foregoing motion, is true and accurate to the best of her information and belief, and that a copy of the foregoing has been electronically served this day upon:

David Leshner
Assistant United States Attorney
880 Front Street
San Diego, CA 92101

Sylvia Baez

and mailed to:

Mario Raymond FERNANDEZ
Reg. No.: 96207-198
GEO
220 W. C St.
San Diego, CA, 92101

Dated: March 14, 2008

s/ Candis Mitchell
CANDIS MITCHELL
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